

FILED

OCT 26 2012

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOISCLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE

IN THE MATTER OF THE SEARCH OF)

Case No. 12-mj-7090A WHITE 2008 HONDA CIVIC)
BEARING CALIFORNIA LICENSE)
PLATE 6WQU439 AND)
AND VEHICLE IDENTIFICATION)
NUMBER 2HGFG12848H549451,)
CURRENTLY IMPOUNDED AT)
ILLINOIS STATE POLICE)
HEADQUARTERS IN COLLINSVILLE,)
ILLINOIS)**AFFIDAVIT IN SUPPORT OF AN APPLICATION**
UNDER RULE 41 FOR A WARRANT TO
SEARCH AND SEIZE

I, Mark Alan Krug, being first duly sworn, hereby depose and state as follows:

1. I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a search warrant authorizing the search a 2008 White Honda Civic bearing California license plate 6WQU439 and vehicle identification number 2HGFG12848H549451, which is currently in law enforcement possession, and the seizure from that property of items described in Attachment A.

2. I am a Special Federal Officer with the Federal Bureau of Investigation, and have reason to believe that contained within a 2008 White Honda Civic bearing California license plate 6WQU439 and vehicle identification number 2HGFG12848H549451 being secured in the custody of the Illinois State Police in Collinsville, Illinois, there is now concealed certain property, including the items described in Attachment A which constitute evidence of the commission of a criminal offense or which is contraband, the fruit of crime, or things otherwise criminally possessed, or which is designed or intended for use or which is or has been used as the means of

committing an offense; all in violation of Title 18, United States Code, Sections 2251(a), 2252(a)(4)(b), 2252(a)(1), 2252A(a)(1), 2423(a) and 2423(b).

IDENTIFICATION OF THE PROPERTY TO BE SEARCHED

3. The property to be searched is a 2008 White Honda Civic bearing California license plate 6WQU439 and vehicle identification number 2HGFG12848H549451 (hereinafter the Target Vehicle), currently secured at the Illinois State Police District 11 headquarters located in Collinsville, Illinois.

The facts to support the issuance of this Search Warrant are as follows:

Introduction

4. I am a Special Federal Officer (SFO) with the Federal Bureau of Investigation (FBI), assigned to the Springfield Child Exploitation Task Force (CETF) based in the Springfield Division at the Fairview Heights Resident Agency. CETF is an FBI sponsored Task Force assembled to combat a variety of crimes in the Metro-East area including child exploitation but not limited to those that are cyber-related. CETF is comprised of law enforcement personnel from approximately 15 different local, state, and federal agencies. I have been assigned to the CETF for approximately six years.

5. I was assigned to the CETF by the Collinsville Police Department, and I have worked as a sworn police officer for approximately 17 years. During this time, I have investigated and assisted in the investigation of a variety of state and federal offenses, including on-line exploitation of children, the possession, receipt, and transmission of images of child pornography, and sexual offenses against children. In addition to my involvement in assisting

or conducting such investigations, I have also gained knowledge, experience, and training in such investigations through training seminars, classes, and work with other state and federal cyber-crime investigators. Through training and experience and work with other cyber-crimes investigators, I have learned about the habits of child pornography collectors, distributors, and producers, those who exploit children online, and those who commit sexual offenses against children. I have been trained in the search and recovery of computers and peripherals, in the extraction of computer data and data from cellular telephones, in the forensic preview of a computer of a suspect, and in imaging computer hard drives.

6. This affidavit seeks to search for and to seize contraband, evidence or instrumentalities of violations of Title 18, United States Code, Sections 2251(a), 2252(a)(4)(b), 2252(a)(1), 2252A(a)(1), 2423(a) and 2423(b), specifically evidence related to the Production of Child Pornography, Transportation of Child Pornography, Possession of Child Pornography and Transportation with the Intent to Engage in Illicit Sexual Conduct and Travel with the Intent to Engage in Illicit Sexual Conduct.

7. The statements contained in this affidavit are based upon my training and experience as a Special Federal Officer of the FBI and a Collinsville Police Officer, information provided to me by other law enforcement officers and investigators, and upon my consultation with personnel trained in the investigation, seizure, and analysis of computers, electronic data, and electronic media. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence of violations of Title 18, United States Code, Sections 2251(a), 2252(a)(4)(b),

2252(a)(1), 2252A(a)(1), 2423(a) and 2423(b), specifically evidence related to the Production of Child Pornography, Transportation of Child Pornography, Possession of Child Pornography and Transportation with the Intent to Engage in Illicit Sexual Conduct and Travel with the Intent to Engage in Illicit Sexual Conduct are located with the Target Vehicle.

Case Investigation

8. On October 23, 2012, your affiant was contacted in reference to a possible interstate transport of a minor for sexual purposes by the Illinois State Police (ISP). On that day, Trooper Zachary Heard, ISP, while in uniform on routine patrol in an unmarked patrol car in the area of Interstate 70 near mile marker 24, was in the median observing traffic. At about 1:50 PM, Trooper Heard observed the Target Vehicle, traveling West on I70 at a speed above the posted 65 MPH speed limit.

9. Trooper Heard entered traffic and began to follow the vehicle. As the vehicle approached mile marker 18, he was able to lock his moving radar on the vehicle indicating its speed was 74 MPH. Trooper Heard activated his emergency lights to make a traffic stop on the vehicle. The vehicle immediately pulled to the shoulder. This stop occurred within Madison County, Illinois which is located within the Southern District of Illinois.

10. Trooper Heard approached the vehicle on the passenger side. He observed that the driver was a white male later identified as David Michael Thompson born in 1987 by a California driver's license. Thompson also provided registration information for the vehicle he had been driving; this information revealed that a white 2008 Honda Civic with California license plate 6WQU439 and vehicle identification number 2HGFG12848H549451 was registered to Thompson. Thompson admitted to speeding above the posted limit. There was a female who

appeared nervous and young sitting in the front passenger seat. When asked for identification, the female stated she did not have one. During the stop, Thompson was asked to exit the vehicle and sit in the passenger seat of Trooper Heard's patrol vehicle. He refused and chose to stand onto the shoulder. Trooper Heard completed his written warning and approached Thompson. During the issuance of the warning, Trooper Heard asked Thompson the name of the female in the front seat due to the female appearing young and her not having identification. Thompson stated that the female's first name was Lexi but he did not know her last name.

11. To investigate whether the female passenger was being held against her will, Trooper Heard walked over to the female to ask her more questions. When asked again for her information, she provided a name identified within this affidavit as AMC. When asked for her date of birth, she was unable to provide a year and said "whatever make me 18". He then re-approached Thompson and told him that he believed that the passenger was under the age of 18. At that time, Trooper Beau Marlow arrived to assist. Trooper Marlow contacted the passenger and advised her it was illegal to lie about her identity. She then admitted that she was born in 1996 and was 16 years old. When Trooper Marlow informed Trooper Heard of the age of the passenger, Thompson spontaneously said, "Really? That's not good." Thompson was then detained pending further investigation.

12. A records check of the female passenger positively identified her as AMC born in 1996. She returned in NCIC/LEADS as being a missing and endangered runaway from Ohio. The Target Vehicle was towed and secured at the ISP headquarters in Collinsville, Illinois where it remains secured pending this application for a search warrant. AMC and Thompson were each individually transported to the ISP headquarters in Collinsville, Illinois.

13. Trooper Matthew Renner and Special Agent (SA) Elbert Jennings interviewed Thompson. This interview was audio and video recorded. During that interview taken after Miranda was given, Thompson denied knowing the age of AMC or having any sexual relationship with her. He admitted to meeting AMC on Facebook two years ago and having traveled from California to Ohio to pick up AMC on October 22, 2012, in the later afternoon and took her to Indiana, where they ate and spent the night. The two were then headed back to California. Additionally, he stated that investigators may be able to prove that he had sex with AMC but that the sex was consensual. He also said that he believed that AMC was someone who he could have a long term relationship. He refused to give consent for a search of his phone, a DNA sample or a search of his vehicle. Thompson was later transported to the Madison County Jail pending further investigation.

14. Special Agent Jamie Brunnworth (SA Brunnworth), ISP, transported AMC to the Madison County Child Advocacy Center (CAC) in Wood River, Illinois, for a Forensic interview and witnessed the interview. Both during the interview and transport to and from the CAC, AMC admitted the following: She and Thompson began a relationship through a Chat room when she was in the 7th or 8th grade. The relationship continued and the two have communicated via Chat, phone, text messaging, Skype, Facebook, and Facebook Instant Messaging since that time. The two knew each other's true ages, celebrating their birthdays online together. The two communicate on a nearly daily basis recently. They had previously discussed her moving to California when AMC completed high school. More recently, AMC was threatened by her guardian with being placed into a foster home and she told Thompson that she would rather kill herself. Thompson then planned with AMC to travel from California to Ohio and pick up AMC.

AMC would then come to live with Thompson in California and they would tell everyone that AMC was 18 years of age. Thompson told AMC not to bring any electrical devices and to destroy her phone which she did. AMC said that Thompson was driving a truck when he picked her up. AMC said they then went to Thompson's cousin's house in Indianapolis. AMC said they drank alcoholic beverages and smoked cannabis. AMC said they drove to a Target where they picked up some items and returned to the cousin's house where they had sexual intercourse including oral sex. Thompson used a condom. During sex, Thompson smacked AMC in the face in anger leaving a palm print on her face and ending the sexual encounter. The next day they left for California in Thompson's car, a white two door Civic. AMC stated that the condom Thompson used during sex was placed inside of a plastic Target bag and put into Thompson's car before they left, where it had been when the two were stopped in Illinois. She stated the two intended to throw the bag out when they stopped, but had not done so. Thompson told AMC to lie to the Trooper and say that she was 18 years old. AMC also stated that the clothing she had worn after engaging in sexual intercourse with Thompson had been placed in the Target Vehicle, including a pair of Victoria Secret PINK yoga pants and lace panties. She stated that other articles of clothing as well as toiletries were inside the vehicle.

15. SA Brunnworth later transported AMC to a medical facility in St. Louis where a rape examination was conducted for the purpose of securing any forensic evidence that may have resulted from her sexual encounter with Thompson. AMC was released to her family.

16. On October 24, 2012, SA Brunnworth contacted AMC via telephone. AMC admitted that she did send pictures of her vagina and breast to Thompson via cellular phone to Thompson's cellular phone. This began in August 2012 when she got an iPod. Thompson sent

images of his penis to AMC. AMC also admitted to using Skype video conferencing software to video chat with Thompson. During some of these chats, the two would be naked and masturbate for each other.

17. Also on October 24, 2012, your affiant and Trooper Renner went to the Madison County Jail to interview Thompson a second time. Your affiant again advised Thompson of his rights per Miranda. Thompson then made another statement. He admitted he knew the true age of AMC, having met her two years prior in a chat room when she was 14 years old. He stated that they had a lot in common and he stated "I love that girl." He admitted he went to get her in Ohio because he was afraid that she was going to hurt herself. He admitted he drove his car to get her. Thompson stated that during a stop at a Target store, AMC purchased condoms, and Thompson stated that the receipt and condoms would be in his car. He admitted he has a laptop computer, a Sony VAIO, in his residence in California, which he used to Skype and communicate via Facebook with AMC. Thompson gave his address in California as 31672 Long View Place, Lake Elsinore, California 92532. This information matched that the information listed on his California driver's license, which he presented to law enforcement during the traffic stop. He stated that AMC would Skype nude at times. Thompson admitted that AMC has sent him vaginal photos of herself to his cellular phone, and he admitted that he saved these photos on his cellular phone. Thompson stated that AMC's clothes and other personal items that she brought from Ohio were in his car.

18. Your affiant would also submit that based on his training and experience, your affiant knows that vehicles, to include vehicles utilized in the commission of crimes, normally contain documentation relating to ownership and/or control of the vehicle, to include, but not

limited to: vehicle registration papers, vehicle titles, proof of insurance, credit card receipts, and receipts relating to the sale and maintenance of the vehicle. In addition, your affiant knows that these same vehicles frequently contain documentation which can indicate the whereabouts of the vehicle and/or its occupants on certain dates and times, to include, but not limited to: maps, gas and other sales receipts, toll receipts, parking receipts, parking tickets, and traffic tickets.

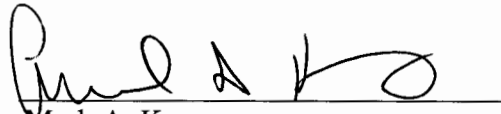
19. In a substantial number of searches executed in connection with the investigations in which your affiant has been involved, or informed of, the items listed in Attachment A have been recovered.

CONCLUSION

20. I submit that this affidavit supports probable cause for a search warrant authorizing the search of the Target Vehicle described in the caption of this application and in paragraph 3 to seize the items described in Attachment A

21. Based on all of the above, your affiant submits there is probable cause to believe the Target Vehicle described in the Style of this Application and Affidavit for Search Warrant contain evidence related to the Production of Child Pornography, Transportation of Child Pornography, Possession of Child Pornography and Transportation with the Intent to Engage in Illicit Sexual Conduct and Travel with the Intent to Engage in Illicit Sexual Conduct in violation of Title 18, United States Code, Sections 2251(a), 2252(a)(4)(b), 2252(a)(1), 2252A(a)(1), 2423(a) and 2423(b).

FURTHER AFFIANT SAYTH NAUGHT



Mark A. Krug
Special Federal Officer
Federal Bureau of Investigation

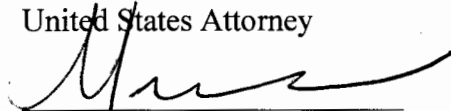
State of Illinois)
) SS.
County of St. Clair)

Sworn to before me, and subscribed in my presence on the 26th day of October, 2012, at
East St. Louis, Illinois.



STEPHEN C. WILLIAMS
United States Magistrate Judge

STEPHEN R. WIGGINTON
United States Attorney



MONICA A. STUMP
Assistant United States Attorney

ATTACHMENT A
Items to be Seized

- 1) documentation relating to the ownership and/or control of the vehicle, to include, but not limited to: vehicle registration papers, vehicle titles, proof of insurance, credit card receipts, and receipts relating to the sale and maintenance of the vehicle;
- 2) documentation which can indicate the whereabouts of the vehicle and/or its occupants on certain dates and times, to include, but not limited to: gas and other sales receipts, toll receipts, parking receipts, parking tickets, traffic tickets, maps; hotel receipts; restaurant receipts; and itineraries;
- 3) condoms, used or otherwise;
- 4) female clothing and toiletries, including but not limited to, yoga pants, lace panties, makeup, and perfume;